

MINUTES
WEST VALLEY LAND USE ADVISORY COMMITTEE (WV LUAC)
April 28, 2021

Chairman Steve Alejandro called the meeting to order at 6:05pm. Committee members present were: Steve Alejandro, Monty Long, Bruce Colburn, and Erica Wirtala. A quorum of the advisory committee was present. The meeting was held in the Planning Office conference room at the Flathead County complex in Kalispell. County Planning Director Mark Mussman was in attendance. No members of the public attended. As Paul McKenzie, the Committee Secretary, was not present, Steven Alejandro served as Secretary and took the meeting minutes.

The minutes from the March 30, 2021 meeting were reviewed and approved. Motion by Bruce C Second by Erica W., unanimous vote in favor.

OLD BUSINESS:

WV LUAC Bylaws:

The proposed draft WV LUAC Bylaws changes were reviewed and discussed. Each change was discussed and then voted on by the committee.

- Bruce C. wanted to know what constituted as a Quorum. Was the minimum number of members present that constituted a quorum based upon the number of committee member positions, or the total number of filled positions? Mark Mussman answered the question as the total number of positions available. However, if we wished, we could reduce the number of positions if we wanted as this number was based upon the original number of members when the WV LUAC was formed. He said that many LUACs have fewer positions. The Committee discussed reducing the number, but decided the existing number was appropriate as it allowed a good diversity of representation. It was agreed we needed to be more proactive in trying to fill the two vacant positions. Bruce suggested Steve A. approach the losing candidates for the WV School Board to see if any of them might be interested since they have already showed a desire for community service. Steve A. agreed to do so.
- In the first paragraph under “Membership and Qualifications” it was proposed that “seven members” be changed to “seven committee members”. Bruce C. made a motion for this change to be made which was seconded by Erica. Passed by unanimous vote.
- Under “Procedures”, “Major Applications”, #4 and #5, it was proposed by Bruce that we revise both to read “shall” as opposed to the original word of “will” as “shall” is a more precise and appropriate legal term. There was no discussion as everyone agreed this would be better. Bruce made a motion that these changes be made which was seconded by Monty. Passed by unanimous vote.
- There was an extended discussion regarding the need for the section “Minor Applications”. The issue was whether these minor applications, since they do not require public hearings, no public notifications, and no notification of adjoining property owners, warranted the involvement of the WV LUAC. After questioning, Mark Mussman provided more details of what types of applications fit this category. The consensus was to be that Minor Applications were not worthy of WV LUAC involvement. Bruce C. made a motion to completely strike the section “Minor Applications “ from the Bylaws. This was seconded by Monty L. and passed by unanimous vote.
- Under the section “Duties”, #7, a discussion ensued regarding the role and responsibilities of the WV LUAC and code violations. As an advisory only arm of the FCPZ, the WV LUAC has no responsibility to report or enforce code violations. However, violation complaints may be made to the committee. Mark Mussman added that the WV LUAC should not be looking for and reporting violations, but forwarding complaints it may receive. Erica W. made a motion that #7 be changed to

read “Forward code complaints to FCPZ.” This was seconded by Bruce C. and passed by unanimous vote.

- Erica W. suggested that under “Procedures”, “Major Applications” that the reference to “Kalispell City-County Planning Board” be stricken. She commented that it seemed redundant and Kalispell was outside of the WV region. However, Mark Mussman made the comment that there was a county representative on the City of Kalispell Planning Board so the reference to it might be relevant. Erica W. made a motion to strike the reference to the Kalispell City-County Planning Board and the motion was seconded by Bruce C. However, it failed to pass on the vote.
- Under the section “Meeting”, #6, add to the end of the sentence: ... to FCPZ “according to established time frame.” Erica W. made a motion the change be adopted and Bruce C. seconded. The motion passed unanimously.
- Under “Resignation or Termination”, Erica W. made a motion that the draft modified rewording be accepted. Bruce C. seconded and the motion passed unanimously.
- There was discussion regarding the changes proposed under the “Meetings” section. All other changes were deemed acceptable with the additional details that the WV LUAC would regularly meet on the fourth Wednesday of each month at 6pm, and that the first sentence of the second paragraph would read: “A quorum shall consist of a simple majority of the 7 committee membership.” Additionally, “Public notice will be provided at the West Valley School and the Flathead County website.” Bruce C. made a motion for the committee accept these changes and the motion was seconded by Monty L. The motion passed unanimously.
- Bruce C. suggested that under Duties, #2 should read: “Shall” review application packets and conduct site visits.” Once again, “shall” was a more legally precise wording. The rest of the proposed new wording in the draft of #3 was acceptable. There was no discussion as everyone seemed to agree. He made a motion to accept #2 as modified and #3 as worded in the draft. This was seconded by Erica W. and passed unanimously.
- An action item assigned to Steve was to obtain a new GIS image reflecting the current West Valley district the Neighborhood Plan represents.

The adopted new WV LUAC Bylaws will be formally drafted for signature by all WV LUAC members at the next meeting. It will then be submitted to the FCPZ Office for review and presentation for approval by the County Commissioners.

West Valley Survey:

- It was noted by the committee that the new draft Version 3.0 was significantly reduced from the previous versions 6 pages. This was a good thing.
- Monte L. requested more details from Steve A. and Erica W. regarding the nature of Survey questions #2 and #3. Steve said the purpose was to gain more demographic details regarding the nature of the families that now currently reside in the district. Monte countered that children are not that important and perhaps the number of people residing at each address was more relevant. Further, the request in question # 1 for age of the respondent was sufficient and that the Census could provide the other demographic info. Steve countered that the Census data would not be available in time for it to be used by us. Erica added that details of families, such as number and ages of children, will reflect changing attitudes regarding other areas in the survey. Monte also expressed his concern that asking details regarding children sounded like we were asking survey questions for the school. This led to some discussions regarding the effect the changes (such as large new sub-divisions) would have on the WV neighborhood and school. Steve mentioned that at a recent planning meeting at WV School, the superintendent had indicated that the school was planning on sending a survey out to District 1 residents to gain info on demographics and opinions for future school growth. It was suggested we could obtain relevant demographics on children ages, if needed, from the WV school survey.

- Steve mentioned that for question # 5, a method to determine whether a resident lived in the rural WV regions or the rapidly growing subdivision valley regions was needed. A map of the entire region cut into quadrants on a letter size paper was not the best approach as it would be hard to read. During discussions, the use of Church Drive was deemed inappropriate as it was too far North and not ideally placed and Farm to Market Road was too far West. After further discussions Erica W. suggested that Old Reserve Drive might be better. Most of the rural/agricultural regions were North of Reserve and the rapid development was occurring South of it. Steve A. agreed that this was better. An East – West boundary was deemed unnecessary.
- L. Monte raised the issue that the sub-element “Distribution of agricultural and residential land uses” was vague and he was unclear what it meant. Steve A. replied that the intent was to try and get a feel for residents opinion on the mixed land use areas as development moved into agricultural regions. Bruce C. said this was not the best way to obtain this info as it was poorly worded. Erica W. suggested it could be removed completely. Steve A. concurred that this was probably best.
- L. Monte questioned the value of Questions #24 and #25. Erica W. said that their intent was to determine the best way to try and engage with the public on the results of the survey and to socialize the changes to the Plan that the LUAC is contemplating. The answers to these questions would help guide the LUAC on the best methods to communicate. Mark Mussman added that the survey results could be posted on the County website as well. All committee members thought this was an excellent idea.
- After some further general discussions, Bruce C. made a motion that Survey Draft Version 3.0 be adopted with the following changes: Questions #2 and #3 be deleted, Old Reserve be used as the boundary for question #5, and sub-element “ Distribution of agricultural and residential land uses” be removed from question #23. Erica W. seconded the motion and it passed unanimously.
- Monte L. asked what the timeline was for mailing the Survey, return deadline, and when the results would be tabulated and available. Erica W. suggested that posting a date on the survey when the results would be made available for public discussion would give the public an advance notice they could put on their calendars and it would put a sense of urgency upon the committee to get things done in a timely manner to meet the deadline. Everyone agreed this was a good idea and discussions then focused upon how long each step of the process would take to set the public meeting date. With the survey now approved, printing and mailing could be executed since funding for this had been obtained. The following timeline was arrived at: The survey would be mailed on 10 May, the return deadline would be 4 June, the public meeting would occur during the normal WV LUAC meeting of 29 Sept. Meeting location was TBD. Bruce C. made a motion that the public meeting date and other dates be approved, with the survey return deadline date being adjusted appropriately if the mailing date moved, and that the public meeting date of 29 September be published on the survey. Monte L. seconded the motion and it was approved unanimously.
- A. Steve suggested a PO box be secured at the Hutton Ranch Postal Annex for the returned surveys. Erica made a motion the suggestion be adopted which Bruce seconded. The motion was passed unanimously.

New Member Recruiting:

As this topic was discussed during the Bylaws discussion, no further discussion was deemed necessary.

NEW BUSINESS

There was no new business to discuss.

GENERAL PUBLIC COMMENT:

No members of the public were in attendance.

Erica W. made a motion to adjourn, second by Bruce C. The motion was Passed unopposed at 8:26pm

Respectfully Submitted,

Steven Alejandro